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Message Text

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FOR JURICH AND SMITH

FOLLOWING SENT ACTION SECSTATE, INFO BELGRADE, BOGOTA, BONN, CANBERRA, HONG KONG, ISLAMABAD, LONDON, MEXICO, NEW DELHI, OTTAWA, PARIS, ROME, SEOUL, STOCKHOLM, TOKYO, EC BRUSSELS, OCT 17, FROM GENEVA RPTD TO YOU:

QUOTE LIMITED OFFICIAL USE GENEVA 6411

E.O. 11652: N/A
TAGS: ETRD, GATT
SUBJ: TEXTILES SURVEILLANCE BODY - EIGTH AND NINTH SESSIONS

1. CHAIRMAN WURTH CONVENED SPECIAL (EIGHTH) SESSION TSB OCTOBER 10 PURPOSE PLANNING PROCEDURES FOR HEARING KOREA-AUSTRALIA ARTICLE 3 DISPUTE.

2. REGULAR (NINTH) SESSION CONVENED AS SCHEDULED OCTOBER 12 AND WAS ADJOURNED AFTERNOON OCTOBER 17. FROM OCTOBER 12 TO AFTERNOON OCTOBER 14 MEETINGS WERE DEVOTED CONSIDERATION AND IN-DEPTH QUESTIONING CANADIAN BILATERAL WITH KOREA AND SINGAPORE NOTIFIED UNDER ARTICLE 3.

3. AFTERNOON OCTOBER 14 TSB HEARD KOREAN DELEGATION
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HEADED BY DR. SUN KIL KIM PRESENT KOREAN VIEW AUSTRALIA'S

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FAILURE PROVIDE EVIDENCE MARKET DISRUPTION IN CONNECTION ITS UNILATERAL RESTRAINT SEVEN CATEGORIES KNIT APPAREL UNDER PROVISIONS ARTICLE 3.

4. FOLLOWING DR. KIM'S PRESENTATION, BODY IN EVENING MEETING RETURNED TO NORMAL AGENDA TO CONSIDER EC REQUEST REVIEW US-INDIA BILATERAL NOTIFIED UNDER ARTICLE 4. EC REP MEYNELL HAD REQUESTED "TWO HOURS" TSB TIME FOR DISCUSSION THIS ITEM. IN RELATIVELY SHORT PRESENTATION, MEYNELL ASKED TSB RULE ON TWO POINTS: (A) EC INTERPRETATION ARTICLE 4 AS PROHIBITING COMPREHENSIVE BILATERAL AGREEMENTS AND (B) QUESTION OF CONSISTENCY US-INDIA ARRANGEMENT WITH MFA ON "BASIC" AND OTHER MINOR POINTS. US REP INTERVENED NEXT REQUESTING EC FOLLOW PROCEDURES TSB HAD PREVIOUSLY ADOPTED (ON EC INSISTENCE) REQUIRING SUBMISSION QUESTIONS IN WRITING TO SECRETARIAT FOR TRANSMISSION TO GOVERNMENTS AFFECTED. MEYNELL THEN PRESSED FOR "IMMEDIATE -HERE AND NOW" DISCUSSION OF BASIC ISSUE. AFTER CHAIRMAN RULED IN FAVOR US REQUEST, BRIEF STATEMENTS WERE MADE BY US, SPANISH, KOREAN, YUGOSLAV AND SCANDINAVIAN REPS. COMPLETE ACCOUNT THIS SUBJECT FOLLOWING SEPTEL.

5. AS PROGRAMMED, AUSTRALIAN DEL APPEARED BEFORE TSB OCTOBER 15 AND, IN FIVE-HOUR SESSION ENDING IN EVENING, WAS SUBJECTED TO INTENSIVE QUESTIONING AS TO JUSTIFICATION CLAIMS MARKET DISRUPTION IN KOREAN CASE. BOTH QUALITY AND QUANTITY ADDITIONAL SUPPORTING INFORMATION AND DATA PROVIDED BY AUSTRALIAN DEL RAISED ALMOST AS MANY QUESTIONS AS WERE ANSWERED. AT CONCLUSION QUERY OF AUSDEL, AND DESPITE PRIOR UNDERSTANDING TO CONTRARY BETWEEN CHAIRMAN AND KOREAN DEL, DR. KIM ASKED FOR FLOOR AND PROCEEDED MAKE CAUSTIC, INTEMPERATE ATTACK ON VERACITY, PERSONAL AND OFFICIAL, OF AUSDEL. ONLY IMMEDIATE ADJOURNMENT SESSION BY CHAIRMAN PREVENTED AUSDEL WALKOUT AND MOST MEMBERS TSB WERE PREPARED WRITE OFF ANY CHANCE TSB CONCILIATORY ACTION. HOWEVER, EFFORTS CHAIRMAN AND MEMBERS OVERNIGHT AND FOLLOWING MORNING RESULTED IN OPENING ADDRESS OCTOBER 16 BY DR. KIM IN ENTIRELY DIFFERENT VEIN AND MOOD TO WHICH AUSDEL RESPONDENDED AFFIRMATIVELY.

6. TSB RESUMED DELIBERATIONS OCTOBER 17 AND AGREED THAT DATA AND EVIDENCE AVAILABLE TO PARTIES TO DISPUTE AT TIME NEGOTIATIONS LIMITED OFFICIAL USE

WERE BROKEN OFF DID NOT APPEAR SUSTAIN CALIM MARKET DISRUPTION BUT NOTED THAT OTHER DATA ACCUMULATED AND PROVIDED TSB BY AUSDEL AFTER BREAK-OFF NEGOTIATIONS LED TSB TO CONCLUDE THAT "GROUNDS FOR RESUMPTION NEGOTIATIONS AND AMICABLE SETTLEMENT EXISTED". TSB ALSO REQUESTED BOTH PARTIES MAKE ANOTHER EFFORT SETTLE DISPUTE AND REPORT BACK PROMPTLY TO TSB. CHAIRMAN IS COMMUNICATING THIS DECISION TO BOTH PARTIES AFTERNOON OCTOBER 17 AND THERE IS REASON TO BELIEVE BOTH WILL

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FIND IT ACCEPTABLE.

7. DETAILS OF ALL TSB SESSIONS FOLLOWING SEPTEL.DALE UNQUOTE.
KISSINGER

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